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8/2 - 08/28/07

Customer No. 26874
PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appl. No.	: 10/731,465	Confirmation No. 5274
Applicants	: Whitsett, <i>et al</i>	
Filed	: December 9, 2003	
Title	: METHODS OF DIAGNOSIS AND TREATMENT OF INTERSTITIAL LUNG DISEASE	
TC/A.U.	: 1632	
Examiner	: Montanari, David A.	
	:	
Docket No.	: 0010872.0507287	
Customer No.	: 26874	

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration under 37 CFR Sec. 1.132 is supportive of the Amendment and Response filed herewith. I, Stephan W. Glasser, declare and say:

1. That I am a citizen of the United States and that I am one of the co-inventors in the above-referenced patent application; that I am employed by Cincinnati Children's Medical Center, and I was and still am, engaged in a research program in the field of pulmonary biology;
2. That I am familiar with the above-identified patent application Ser. No. 10/731,465, that I have reviewed the July 14, 2006 Office Action in the above captioned case; and that I am familiar with the following reference: U.S. Patent 6,838,428 B2 (Whitsett);
3. That the inventorship of the current application is correct and that any invention disclosed but not claimed in the Whitsett reference cited by the Examiner was invented by both myself and Jeffrey Whitsett as co-inventors and not solely invented by the listed inventor of the publication notwithstanding the inventorship of the patent and is thus not an invention by another;

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PAGE 2/4 * RCVD AT 1/11/2007 11:38:57 AM [Eastern Standard Time] * SVR:RIGHTFAX7 * DNIS:50 * CSID:5136367868 * DURATION (mm:ss):01:46

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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration under 37 CFR Sec. 1.132 is supportive of the Amendment and Response filed herewith. I, Jeffrey A. Whitsett, declare and say:

1. That I am a citizen of the United States and that I am one of the co-inventors in the above-referenced patent application; that I am employed by Cincinnati Children's Medical Center, and I was and still am, engaged in a research program in the field of Neonatology, Perinatal and Pulmonary Biology;
2. That I am familiar with the above-identified patent application Ser. No. 10/731,465, that I have reviewed the July 14, 2006 Office Action in the above captioned case; and that I am familiar with the following reference: U.S. Patent 6,838,428 B2 (Whitsett);
3. That the inventorship of the current application is correct and that any invention disclosed but not claimed in the Whitsett reference cited by the Examiner was invented by both myself and Stephen Glasser as co-inventors and not solely invented by the listed inventor of the publication notwithstanding the inventorship of the patent and is thus not an invention by another;

Dec. considered.
86-03/28/07